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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,543	01/26/2001	Jonathan M. Audy	A8SC1669US	6791
23935	7590	01/05/2005	EXAMINER	
KOPPEL, JACOBS, PATRICK & HEYBL 555 ST. CHARLES DRIVE SUITE 107 THOUSAND OAKS, CA 91360			PHU, PHUONG M	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/770,543	AUDY ET AL.	
	Examiner	Art Unit	
	Phuong Phu	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 6-8 and 13-17,21 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5,9-12 and 18-20 is/are allowed.
- 6) ☒ Claim(s) 1,2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 8/31/04.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation “a blanking interval circuit which asynchronously triggers the start of blanking interval upon the occurrence of a transition of said digital input signal” on lines 4-6. This limitation renders the claim unclear and indefinite because it is contradictable for the operation of the “blanking interval circuit” which **asynchronously triggers** the start of blanking interval **upon the occurrence of a transition of said digital input signal**. Since the “blanking interval circuit” triggers the start of blanking interval, based upon the occurrence of a transition of the “digital input signal”, the blanking interval circuit’s triggering is **synchronous** with the digital input signal; and therefore, it is contradictable when stating “a blanking interval circuit which **asynchronously** triggers the start of blanking interval upon the occurrence of a transition of said digital input signal”.

Claim 1 recites the limitation “said output ... asynchronously tracks said digital input signal” on lines 7-10. This limitation renders the claim unclear and indefinite because it is contradictable for the operation of “said output” which asynchronously tracks “said digital input signal”. Since “said output” tracks “said digital input signal”, “said output” is **synchronous** with

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“said digital input signal”; and therefore, it is contradictable when stating “said output ... asynchronously tracks said digital input signal”.

Claim 2, depended on claim 1, is therefore also rejected.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Nehoda (5,801,651), previously cited.

As per claim 1, see figures 1b and 4a, and col. 3, line 20 to col. 6, line 40 and col. 7, lines 9-37, Nehoda discloses a circuit (figure 1b) comprising:

an input (20) connected to receive a digital input signal (RXD_{IN});

a blanking interval circuit (12, 14, 16, 18) which trigger the start of a blanking interval upon the occurrence of a transition of said digital input signal (see RXD_{IN} and RXD_{OUT} of figure 4A); and

an output (60) wherein said output is prevented from re-transitioning during said blanking interval and tracks said digital input signal (see RXD_{IN} and RXD_{OUT} of figure 4A).

As per claim 2, Nehoda discloses that said blanking interval circuit maintains an blanking interval for a first duration when said digital input signal transitions from a low state to a high state and to maintain said blanking interval for a second duration when said digital input signal transitions from a high state to a low state (see RXD_{IN} and RXD_{OUT} of figure 4A).

Allowable Subject Matter

6. Claims 3-5, 9-12 and 18-20 are allowed.

Response to Arguments

7. Applicant's arguments filed on 8/31/04 have been fully considered but they are not persuasive.

The applicant mainly argues that (i) with respect to claim 1, Nehoda does not disclose the limitations “a blanking interval circuit which asynchronously triggers the start of blanking interval upon the occurrence of a transition of said digital input signal” and “said output ... asynchronously tracks said digital input signal”; and (ii) with respect to claim 2, Nehoda does not disclose the limitation “said blanking interval circuit is arranged to maintain an blanking interval for a first duration when said digital input signal transitions from a low state to a high state and to maintain said blanking interval for a second duration when said digital input signal transitions from a high state to a low state”.

Regarding to part (i), the examiner respectfully disagrees. Nehoda discloses the limitation “a blanking interval circuit which asynchronously triggers the start of blanking interval upon the occurrence of a transition of said digital input signal” wherein Nehoda discloses a blanking interval circuit (12, 14, 16) which triggers the start of a blanking interval (e.g., (TA1, TA2)) of the output signal RXD_{OUT} upon the occurrence of a transition of a digital input signal (RXD_{IN}) being detected by the signal EDGE indicated at time TA1 (see figure 4A). Note that the limitation “asynchronously triggers” is not given patentable weight over Nehoda blanking interval circuit's triggering, and is considered being disclosed by Nehoda blanking interval circuit's triggering since the claim does not have other limitations showing how the

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asynchronousness of “asynchronously triggers” is performed in order to make the “asynchronously triggers” distinguishable from Nehoda blanking interval circuit’s triggering.

Similarly, Nehoda discloses the limitation “said output ... asynchronously tracks said digital input signal” wherein Nehoda discloses an output (RXD_{OUT}) wherein said output is prevented from re-transitioning during a blanking interval (TA1, TA7) and tracks a digital input signal (RXD_{IN}) (see figure 4A). Note that “asynchronously tracks” in the limitation is not given patentable weight over Nehoda output’s tracking, and is considered being disclosed by Nehoda output’s tracking since the claim does not have other limitations showing how the asynchronousness of “asynchronously tracks” is performed in order to make the “asynchronously tracks” distinguishable from Nehoda output’s tracking.

Regarding to part (ii), the examiner also disagrees. See figures 1B and 4A, Nehoda discloses a blanking interval circuit (18) (see figure 1B) is arranged to maintain a blanking interval of an output signal (RXD_{OUT}) for a first duration (TA1, TA2) (see figure 4A) when a digital input signal (RXD_{IN}) transitions from a low state to a high state (being detected by the signal EDGE indicated at time TA1) and to maintain said blanking interval for a second duration (TA2, TA3) when said digital input signal transitions from a high state to a low state after time TA2.

Based on the above rationale, it is believed that the limitations of claims are still met and therefore, the rejections are still maintained.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PHUONG PHU
PRIMARY EXAMINER

Phuong Phu
Primary Examiner
Art Unit 2631

Phuong Phu 12/28/04